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8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA, ) CR. NO. S-04-0177 MCE  
12 Plaintiff, )  
13 MARIO NOEL PEREZ, ) STIPULATION; ORDER  
14 Defendant. )  
15

16 Defendant Mario Noel Perez, through Colin L. Cooper,  
17 Attorney At Law, and the United States of America, through  
18 Assistant U.S. Attorney Kenneth J. Melikian, agree to vacate the  
19 status conference scheduled for November 8, 2005. The parties  
20 further stipulate that a status conference be placed on the  
21 court's November 22, 2005, calendar.

22 The parties have reached an agreement to settle this case.  
23 It will not be possible, however, to execute a formal plea  
24 agreement before November 8<sup>th</sup>. As such, the parties are  
25 requesting that the case be placed on the November 22<sup>nd</sup> calendar  
26 for change of plea.

27 Accordingly, the parties request that the status conference  
28 in this case be continued to November 22, 2005. The parties

1 further agree that time should be excluded through November 22,  
2 2005, from computation under the Speedy Trial Act pursuant to  
3 local code T4 (18 U.S.C. § 3161(h)(8)(B)(iv)) to allow the  
4 defendant a reasonable amount of time to prepare his case.

5 DATED: November 4, 2005 Respectfully submitted,

McGREGOR W. SCOTT  
United States Attorney

By: /s/ Kenneth J. Melikian  
KENNETH J. MELIKIAN  
Assistant U.S. Attorney

DATED: November 4, 2005

/s/ Kenneth J. Melikian  
COLIN L. COOPER  
Attorney for Defendant Perez  
(Signed by Kenneth J. Melikian  
per telephonic authorization by  
Colin L. Cooper)

IT IS SO ORDERED.

DATED: November 16, 2005

  
MORRISON C. ENGLAND, JR  
UNITED STATES DISTRICT JUDGE